

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6500

BILL NUMBER: HB 1034

NOTE PREPARED: Apr 22, 2013

BILL AMENDED: Mar 18, 2013

SUBJECT: Physical Therapy Services Without a Referral.

FIRST AUTHOR: Rep. Frizzell

FIRST SPONSOR: Sen. Patricia Miller

BILL STATUS: Enrolled

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: The bill allows a physical therapist to evaluate and treat a patient without a referral for not more than 24 calendar days. The bill requires a physical therapist to obtain a referral from the patient's provider if further treatment by the physical therapist is needed.

The bill provides that a physical therapist may not perform spinal manipulation of the spinal column or the vertebral column unless: (1) the physical therapist is acting on the order or referral of a physician, an osteopath or a chiropractor; and (2) the referring physician, osteopath, or chiropractor has examined the patient before issuing the order or referral. It provides that a physical therapist may not perform sharp debridement unless a physical therapist has an order or referral of a licensed physician, osteopath, or podiatrist.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues: *Summary:* A person violating the physical therapist law commits a Class B misdemeanor. Therefore, a violation of the proposed changes would fall under the existing penalty provision. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

Background Information on Physical Therapists: As of September 19, 2012, there were 5,370 physical

therapists and 2,643 physical therapist assistants licensed with the Indiana Professional Licensing Agency.

Explanation of Local Expenditures: A Class B misdemeanor is punishable by up to 180 days in jail.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Professional Licensing Agency.

Fiscal Analyst: Chris Baker, 317-232-9851.